

Plaintiff WILLIAMS also clarified his amended complaint does not contain a claim that he was denied the opportunity to wear a fez (religious head covering). Plaintiff reiterates his claims under the First Amendment and Fourteenth Amendment in relation to the lack of a separate religious service for Moorish Science Temple of America (MSTA) members from the general Islamic/Muslim services.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation, as well as the objections submitted by plaintiff.

Insomuch as the plaintiff's objections challenge the Report and Recommendation for interpreting his complaint as a claim under RLUIPA or a claim for a denial of the opportunity to wear a fez, the Court is of the opinion that plaintiff's objections clarify his intended claims and the Court will consider the Report and Recommendation only to the extent the Magistrate Judge recommends dismissal of plaintiff's First and Fourteenth Amendment claims.

The Court is of the opinion that plaintiff's other objections are without merit and should be OVERRULED and the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court, with the exception of the recommendation of dismissal of an RLUIPA claim.

This Court, therefore, does OVERRULE plaintiff's objections, and does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge. The portion of the Report and Recommendation recommending dismissal of an RLUIPA claim is not adopted by this Order of Dismissal and the Court does not reach a determination on any claims under RLUIPA and further does not address the issue of exhaustion of administrative remedies concerning the denial of plaintiff's opportunity to wear a fez.

IT IS THEREFORE ORDERED that the Motion for Summary Judgment filed by defendant BEDISON is GRANTED and the Civil Rights Complaint by MILO WILLIAMS, is DISMISSED WITH PREJUDICE.

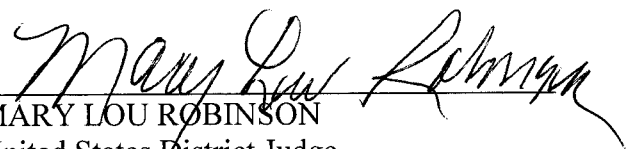
LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk shall send a copy of this order to plaintiff and to any attorney of record by first class mail.

This terminates docket entry no. 32.

IT IS SO ORDERED.

Signed this the 23rd day of March, 2017.


MARY LOU ROBINSON
United States District Judge